



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **17.02.2020**

CORAM:

THE HONOURABLE MR.JUSTICE **A.D.JAGADISH CHANDIRA**

Crl.O.P.[MD].No.2388 of 2020

1.Vijayan @ Vijayakumar
2.Balamurugan

... Petitioners/Accused nos 1&2
Vs.

1.State Rep. by
The Inspector of Police,
Thiruppuvanam Police Station,
Sivagangai District.
Crime No.254 of 2019 ...1st respondent/complainant

2.Ramesh ...2nd Respondent/defacto complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records relating to the First Information Report in Crime No.254 of 2019, on the file of the respondent police and quash the same.

For Petitioners : Mr.S.Mahendrapathy

For R-1 : Mrs.S.Bharathi
Government Advocate (Crl. side)

For R-2 : Mr.P.Kalimuthu

ORDER

The Criminal Original Petition has been filed to quash the First Information Report in Crime No.254 of 2019, on the file of the respondent police, for the offences punishable under Sections 294 (b), 323 and 506(1) of IPC, Section 4 of TN Prohibition of Harassment of Woman Act, 2002.

2.The case is still at the stage of investigation. By passage of time, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves.

3.A Joint Memo of Compromise has been filed before this Court, which have been signed by the petitioners and the second respondent and also by their respective counsel. The petitioners and the second respondent were also present in person before this Court and they were identified by Mr.M.Manickam, SI of Police. This Court also



enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.

4.Under such circumstances, no useful purpose will be served in keeping the First Information Report pending, even though, the offences involved are not compoundable in nature. In the light of the guidelines given by the Hon'ble Supreme Court reported in **2017 9 SCC 641-(Parbathbhai Aahir @ Parbathbhai Vs. State of Gujraath)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in Crime No.254 of 2019.

5.It is represented by the learned counsel for the petitioners that the petitioners paid a sum of Rs.5,000/- (Rupees Five Thousand only) as costs to the Credit of St. Joseph School for the Blind, Justin Nagar, Paravai P.O., Madurai and filed the original cash receipts along with this memo on 17.02.2020. The said submission is placed on record.

6.Accordingly, this Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.254 of 2019, on the file of the first respondent police, is quashed and the terms of joint compromise memo shall form part and parcel of this order.

Sd/-
ASSISTANT REGISTRAR (WRITS)

TRUE COPY

/ /2020
SUB ASSISTANT REGISTRAR (CS)

sjj

Encl: Xerox copy of joint compromise memo
To

- 1.The Inspector of Police,
Thiruppuvanam Police Station,
Sivagangai District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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MKB(16.03.2020)/2P/4C